

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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HIGHLINE CAPITAL MANAGEMENT, LLC,

Plaintiff,

- against -

HIGHLINER INVESTMENT GROUP, LLC f/k/a  
HIGHLINER CAPITAL MANAGEMENT, LLC  
and ANAND PAREKH,

Defendants.  
----- x

08 Civ. 1979 (JSR)

**NOTICE OF LAWSUIT AND  
REQUEST FOR WAIVER OF  
SERVICE OF SUMMONS**  
(Fed. R.. Civ. 4(d))

TO: Richard S. Eisert, Esq. of Davis & Gilbert LLP on behalf of the Defendants  
Highliner Investment Group, LLC, f/k/a Highliner Capital Management, LLC  
("Highliner") and Anand Parekh ("Parekh") (collectively, the "Defendants").

**Notice of Suit**

This is to notify you that a lawsuit has been commenced against the Defendants Highliner and Parekh. A copy of the complaint in that lawsuit is attached to this notice. It has been filed in the United States District Court for the Southern District of New York, and has been assigned Docket No. 08 Civ. 1979 (JSR).

**Your Options**

This is not a formal summons or notification from the Court, but rather my request, pursuant to Federal Rules of Civil Procedure 4(d), that you sign and return the enclosed waiver of service in order to save the cost of serving you (on behalf on the Defendants) with a judicial summons and an additional copy of the complaint. The cost of service will be avoided if I receive a signed copy of the waiver within thirty (30) days after the date designated below as the date on which this Notice and Request was hand delivered to you. Enclosed is a self-addressed, stamped envelope for your use. An extra copy of this Notice and Request, as well as the attached Waiver are also attached for your records.

**What Happens if You Comply**

If you comply with this request and return the signed waiver, it will be filed with the Court and no summons will be served on the Defendants Highliner and Parekh. The action will then proceed as if the Defendants had been served with a summons on the date that the waiver is filed with the Court, except that the Defendants will not be obligated to answer the complaint before sixty (60) days from the date designated below as the date on which this Notice and Request was sent to you (or before ninety (90) days from that date if your address is not in any judicial district of the United States).

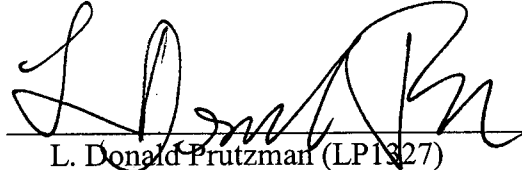
**What May Happen if You do Not Comply**

If you do not return the signed waiver within the time indicated, I will take appropriate steps to effect formal service of summons in a manner authorized by the Federal Rules of Civil Procedure and will then, to the extent authorized by those Rules, ask the Court to require the Defendants Highliner and Parekh to pay the full costs of such service. In that connection, please read the statement concerning the duty of parties to waive the service of the summons, which is set forth at the foot of the waiver form.

**Date on Which Request Sent**

I affirm that this Request is being sent to you on behalf of the plaintiff in this lawsuit on March 7, 2008.

TANNENBAUM HELPERN SYRACUSE  
& HIRSCHTRITT LLP

By:   
L. Donald Prutzman (LP1327)

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